

1 Michele R. Stafford, Esq. (SBN 172509)  
2 Adrian L. Canzoneri, Esq. (SBN 265168)  
3 SALTZMAN & JOHNSON LAW CORPORATION  
4 44 Montgomery Street, Suite 2110  
5 San Francisco, CA 94104  
6 (415) 882-7900  
7 (415) 882-9287 – Facsimile  
8 [mstafford@sjlawcorp.com](mailto:mstafford@sjlawcorp.com)  
9 [acanzoneri@sjlawcorp.com](mailto:acanzoneri@sjlawcorp.com)

10 Attorneys for Plaintiffs

11 Phil Hiroshima, Esq. (SBN 50758)  
12 HIROSHIMA, LEWIS & DAGGETT  
13 1420 River Park Drive, 2<sup>nd</sup> Floor  
14 Sacramento, CA 95815  
15 (916) 923-2223  
16 (916) 929-7335  
17 [phiroshima@hdlaw.net](mailto:phiroshima@hdlaw.net)

18 Attorney for Defendant

19 UNITED STATES DISTRICT COURT  
20 FOR THE NORTHERN DISTRICT OF CALIFORNIA

21 BAY AREA PAINTERS AND TAPERS  
22 PENSION TRUST FUND, et al.,

23 Plaintiffs,

24 v.

25 NEW WEST PARTITIONS, a California  
26 Corporation,

27 Defendant.

28 Case No.: C14-04981 JSW

**JOINT REQUEST TO CONTINUE  
CASE MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER THEREON**

Date: April 24, 2015

Time: 11:00 a.m.

Dept.: Courtroom 5, 2<sup>nd</sup> Floor,  
Oakland, CA

Judge: Honorable Jeffrey S. White

1 Plaintiffs and Defendant, by and through their respective counsel of record, hereby  
2 respectfully request that the Case Management Conference, currently scheduled for April 24, 2015,  
3 be continued for approximately sixty (60) days, or as soon thereafter as may be convenient for the  
4 Court. GOOD CAUSE EXISTS for the requested continuance as follows:

5 1. As the Court's records will reflect, this action was filed by Plaintiffs on November  
6 10, 2014 to compel Defendant's compliance with its obligations to pay monthly contributions to  
7 Plaintiffs for hours worked by its employees, pursuant to its Collective Bargaining Agreement.

8 2. Defendants filed an Answer to the Complaint on December 22, 2014.

9 3. Counsel for both parties have been in communication throughout this matter and  
10 have continued to make progress towards resolution of the matter. The parties previously filed a  
11 request to continue the case management conference on February 10, 2015, based upon discussions  
12 of a payment plan for Defendant. To date, no formal payment plan has been entered into, however,  
13 Defendant has made additional payments towards the total amount due to Plaintiffs. The parties  
14 remain in discussions regarding a formal payment plan for the remaining balance owed to Plaintiffs.  
15 If a formal payment plan is not agreed upon within the next sixty (60) days, Plaintiffs will move for  
16 summary judgment against Defendant.

17 4. The parties jointly request a continuance of the Case Management Conference to  
18 allow the parties to further pursue resolution of this matter without the need for further litigation.

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1       5. There are no issues that need to be addressed by the parties at the currently scheduled  
2 Case Management Conference. In the interest of conserving costs, as well as the Court's time and  
3 resources, Plaintiffs and Defendant jointly and respectfully request that the Case Management  
4 Conference, currently scheduled for April 24, 2015, be continued for approximately sixty (60) days,  
5 to allow sufficient time for the parties to continue their attempts to resolve this matter outside of  
6 litigation.

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8 Date: April 17, 2015

SALTZMAN & JOHNSON  
LAW CORPORATION

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By: \_\_\_\_\_/S/  
Adrian L. Canzoneri  
Attorney for Plaintiffs

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Date: April 17, 2015

HIROSHIMA, LEWIS & DAGGETT

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By: \_\_\_\_\_/S/  
Phil Hiroshima  
Attorney for Defendant

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**IT IS SO ORDERED.**

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Based on the foregoing, and GOOD CAUSE APPEARING, the currently set Case Management Conference is hereby continued to June 26, 2015, at 11:00 a.m. All related deadlines are extended accordingly.

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Date: April 20, 2015

  
UNITED STATES DISTRICT JUDGE

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